

20. (Previously Presented) The system of claim 17, wherein:

the operating system of said supervisory unit comprises an electrically operated display device in which said screen is incorporated; and

the operating system of said supervisory unit is operably configured to turn on said display device and to display said message based on said one of the priorities associated with the status information having a predetermined value.

REMARKS

Claims 1, 2, and 4-20 are pending in the above-identified application. Claims 1, 2, and 4-20 were rejected. With this Amendment, claims 1, 6-12, and 14 were amended and claims 5 and 13 were cancelled. Accordingly, claims 1-2, 4, 6-12, and 14-20 are at issue in the above-identified application.

I. Anticipation Rejection of Claims Under 35 USC §§ 102(b) and Obviousness Rejection of Claims Under 35 USC § 103(a)

Claims 1-6, 12, and 14-19 were rejected under 35 U.S.C. § 102(b) as being purportedly unpatentable over Bertsch, U.S. Patent No. 5,570,085. Claims 7-8 and 20 were rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over Bertsch in view of Humpleman et al., U.S. Patent No. 6,243,707. Claims 9-11 and 13 were rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over Bertsch in view of Jeon et al., U.S. Patent No. 5,822,012. Applicant respectfully traverses these rejections.

The Examiner argues that Bertsch teaches all the limitations of claim 1, including means for monitoring the performance of the appliance. Applicants respectively disagree. Bertsch does not teach the structures (e.g., integrated unit, supervisory unit, or monitoring unit 26 in Figures 1-3) disclosed in the application for performing this means-plus-function limitation or

recited in claim 1 as amended. *See In re Donaldson Co.*, 16 F.3d 1189, 1194-95 ed. Cir. 1994) (holding that the structure disclosed in the specification corresponding to the means-plus-function limitation cannot be disregarded by the PTO when rendering a patentability determination.)

With respect to Claims 1, 14, and 15, Applicants teach and claim that the means for monitoring the performance of the appliance in the system includes an integrated unit 26 that has a plurality of user-selectable modes of operation including an ENTERTAINMENT mode for displaying television content, a CD mode for displaying video disc content (e.g., DVD content), and an INTERNET mode for displaying Internet content. Applicants further teach that the integrated unit 26 has a controller or operating system 56 which includes an appliance control, supervision, and feedback interface 78 linked to an appliance via a power line modem 82. Applicants also teach that the appliance control, supervision, and feedback interface 78 of the integrated unit 26 is operably configured to continually monitor the performance of the appliance while operating in one of said user-selectable modes (e.g., ENTERTAINMENT mode, CD mode, or INTERNET mode). Applicants further teach that, when the interface 78 receives a fault or diagnostic message from the appliance, the operating system 56 causes the integrated unit 26 to switch to a DIAGNOSTIC mode to display the fault message in accordance with a priority associated with the fault message; for example, if the priority exceeds a predetermined level of 1 or 2. (See Application, at pg. 5 lines 4-12; pg. 6 line 24-29; pg. 7 lines 1-5, 11-17; pg. 8 lines 8-18; pg. 11 line 17 - pg. 12 line 22; Figs 2-4, 9, and 10).

Applicants further teach that the integrated unit 26 may have a phone modem 82 and that the integrated unit 26 sends the diagnostic message via the phone modem 82 to a service/repair

center designated by a user if the priority exceeds a predetermined level (e.g., a priority of 1). (Application, at pg. 12 lines 1-20; Figs. 2-4 and 9). Applicants also teach that the service/repair center personnel is able to interrogate and obtain additional information from the system pertinent to the problem corresponding to the diagnostic message once the connection between the system and the service/repair center has been established. (Application, at pg. 12 lines 9-11).

With respect to Claim 15, Applicants teach in one implementation of the system 20 that the means for monitoring the performance of the appliance may include having the integrated unit 26 periodically collect data indicative of the status of the appliance (e.g., operating temperature of a refrigerator), compare the data to reference data to identify a particular problem with the appliance (e.g., a loss of refrigerant or a loose belt of the refrigerator), and transmit the discovered problem as a diagnostic message to the service/repair center. (Application, at pg. 13 line 23 - pg. 14 line 13; Figs. 2-4, 12). Applicants disclose that this implementation, which is consistent with methods and systems of the present invention, allows service/repair personnel to identify parts, tools, etc. needed to repair the problem without having to make multiple, time consuming and expensive trips to the site of the appliance.

Bertsch discloses an appliance control system 50 that has interface units 70A & 70B associated with respective consumer appliances or devices 80A and 80B to interchangeably monitor and control the performance of the respective appliances 80A and 80B. (See Bertsch, Col. 5 line 45 - Col. 6 line 20). Bertsch also discloses an initiator 90, such as an IBM PC, that is simply used to initialize the interface units 70A & 70B and is removed from the system 50 once initialization is complete. (See Bertsch, Col. 5 line 61 - Col. 6 line 8). But Bertsch fails to disclose or suggest that the interface units 70A & 70B are incorporated into the initiator 90, that

the initiator 90 has multiple user-selectable modes, that initiator 90 has means for transmitting data indicative of a status of an appliance (e.g., 80A or 80B) from said monitoring means to a facility physically remote from the appliance and the initiator 90, or means for comparing the stored parameter with reference data such that a problem associated with the appliance is identified by the initiator 90.

Thus, for at least the reasons discussed above, Bertsch fails to disclose or suggest, alone or in combination with the other cited references, all the limitations of Claims 1, 14, and 15.

Claims 2-4 and 6-11 depend directly or indirectly from Claim 1, and Claim 16 depends from Claim 15, and thus, should be deemed allowable for at least the same reasons as Claims 1 and 15.

Applicants respectfully submits that the rejection to these claims has been overcome and request that the rejection be withdrawn.

Regarding claim 12 as amended and referring to Applicants' Figures 1, 2, and 9 Applicants claim a system 20 that includes an integrated unit 26 for monitoring an appliance. The integrated unit as claimed includes a screen 32, an appliance control and feedback interface 78 operably connected to the appliance, and *an operating system 56 operably configured to power up said integrated unit to display a message on said screen when a fault that arises in said appliance is received by the appliance control and feedback interface.*

Applicants disclose that in one embodiment the operating system 56 is configured to turn on the integrated unit 26 (e.g., turn on the screen 32) to display a message reflecting the status of a fault in said appliance when the priority transmitted with fault has a predetermined value, such as a priority of 1. (See Application, at pg. 11 line 21 - pg. 12 line 22, Figs 9-10).

Bertsch, or any of the other references cited by the Examiner, fails to disclose a system having the Claim 12 limitation of *operating system operably configured to power up said integrated unit to display a message on said screen when a fault that arises in said appliance is received by the appliance control and feedback interface*. In particular, Bertsch fails to disclose any means for the interface units 70A & 70B (which are not part of an integrated unit as taught and claimed by Applicants) to power up the initiator 90 to display a message on a screen in response to a fault arising in a respective appliance (e.g., appliances 80A and 80B).

Thus, Applicants submit that Bertsch fails to disclose or suggest, alone or in combination with any of the other cited references, all the limitations of Claim 12 and respectfully request that the rejection to this claim be withdrawn.

Regarding claim 17 as amended, Applicants claim a system that includes “a supervisory unit” for an appliance and a “means for transmitting to said supervisory unit status information on the appliance and for transmitting *one of a plurality of priorities associated with the status information*.” The supervisory unit as claimed includes a screen and an operating system for displaying on the screen a message reflecting the status information of the appliance. Claim 17 further recites the limitation that *the operating system of the supervisory unit displays the message on the screen based upon the one of the priorities associated with the status information*.

Applicants disclose that in one embodiment the operating system of the supervisory unit is configured to turn on the screen (if the screen is off) to display the message reflecting the status information when the priority transmitted with the status information is a predetermined value, such as a priority of 1. Otherwise, if the priority is not the predetermined value, such as a

priority of 2, 3 or 4, the operating system saves the message to display the next time that the screen is turned on. (See Application, at pg. 11 line 21 - pg. 12 line 22, Figs 9-10).

As discussed above, Bertsch fails to disclose or suggest that either the interface units 70A & 70B or the initiator 90 are an integrated unit or a supervisory unit as taught and claimed by Applicants. Moreover, Bertsch fails to disclose that the initiator 90 is configured to collect data from interfaces 70A and 70B as the Examiner suggests or to display a message reflecting on its screen based upon a priority associated with the status information. Furthermore, Bertsch fails to disclose that the interfaces 70A and 70B associate a priority with a status of the appliance 80A or 80B.

Thus, for at least the reasons discussed above, Bertsch fails to disclose or suggest, alone or in combination with the other cited references, all the limitations of Claim 17.

Claims 18-20 depend from Claim 17, and thus, should be deemed allowable for at least the same reasons as Claim 17.

Applicants respectfully submits that the rejection to these claims has been overcome and request that the rejection be withdrawn.

CONCLUSION

In view of the above amendments and remarks, Applicants submit that all pending claims are clearly allowable over the cited prior art, and respectfully request early and favorable notification to that effect. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the Examiner is invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,

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